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09/975,398	10/11/2001	Thomas Mayberry	EMPIR-028PUS	1199

22494 7590 12/01/2005	EXAMINER
DALY, CROWLEY, MOFFORD & DURKEE, LLP	ALAM, UZMA

	ART UNIT	PAPER NUMBER
SUITE 301A		

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354A TURNPIKE STREET
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DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 September 2005</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-26</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-26</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DETAILED ACTION

This action is responsive to the arguments filed September 9, 2005. Claims 25 and 26 are

new. Claims 1-26 are pending. Claims 1-26 represent a method for testing a web service as

components.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Guthrie et al. US

Patent No. 2005/0193097. Guthrie teaches the invention as claimed including providing web

services and testing them (see abstract).

As per claims 1 and 14, Guthrie teaches a method and computer program product of

testing a Web Service as a component comprising the steps and instructions of:

identifying, on a remote system, a Web Service to be tested (using an html description to

pick a Web Service to be tested; pp 0005, 0043, 0057,0058, 0064, 0066, 0073);

obtaining information relating to the Web Service to be tested (getting information about

the methods of the service; pp 0044, 0059, 0066, 0073);

generating, from the information, a program to exercise the Web Service to be tested (compiling a program to run the Web Service; pp 0045, 0060, 0066, 0073);

executing the program to exercise the Web Service to be tested (executing the object; pp 0045, 0061, 0067); and

obtaining results from the Web Service to be tested (pp 0045, 0062, 0063, 0067, 0073).

As per claims 2 and 15, Guthrie discloses the method of claims 1 and 14 wherein further comprising the step of verifying that said results are correct (pp 0064, 0068).

As per claims 3 and 16, Guthrie teaches the method and computer program product of claims 1 and 14 wherein said step of identifying includes locating a Web Service descriptor language (WSDL) file for the Web Service be tested (finding a Web Service using WSDL; pp 0052, 0065).

As per claims 4 and 17, Guthrie teaches the method computer program product of claims 3 and 16 wherein said step of identifying further comprises locating a DISCO file, said DISCO file including a list of WSDL files (pp 0065).

As per claims 5 and 18, Guthrie teaches the method of claims 1 and 14 wherein said step of obtaining information relating to the Web Service to be tested includes obtaining information relating to the Web Service interface (choosing a program to run the web service; pp 0065)

As per claims 6 and 16, Guthrie teaches the method of claims 1 and 14 wherein

said step of obtaining information relating to said Web Service to be tested further

comprises obtaining information related to the methods of the Web Service (pp 0071).

As per claims 7 and 20, Guthrie teaches the method of claims 1 and 14 wherein

said step of obtaining information relating to said Web Service to be tested further

comprises obtaining information relating to parameters to be passed to said Web Service (pp

0063)

As per claims 8 and 21, Guthrie teaches the method of claims 1 and 14 wherein

said step of executing the program to exercise the Web Service to be tested

includes sending and receiving messages with said Web Service (pp 0053).

As per claim 9, Guthrie teaches the method of claim 1 wherein said remote system

resides on a network (pp 0040).

As per claim 10, Guthrie teaches the method of claim 9 wherein said network comprises

the Internet (pp 0040)

As per claims 11 and 22, Guthrie teaches the method and computer program product of

claims 8 and 21 wherein said messages are sent in SOAP protocol (pp 0052)

As per claim 12, Guthrie teaches the method of claim 8 wherein said messages are transported across said network using an HTTP Internet protocol (pp 0051)

As per claims 13 and 34, Guthrie teaches the method and computer program product of claims 8 and 14 wherein said messages are in XML format (pp 0052-0053).

As per claims 25 and 26, Guthrie teaches the method and computer program product of claims 1 and 14 wherein said identifying a web service comprises identifying a web service comprising an object-oriented software component accessed via a web protocol (pp 0048-0050).

Response to Arguments

1.   Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 5:30 AM - 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Uzma Alam
ua

ARIO ETIENNE
PRIMARY EXAMINER